

1 Hon. Richard A. Jones
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,

12 v.
13 ROLAND JESSE DAZA-CORTEZ,
14
15 Defendant.

NO. CR15-269RAJ

ORDER ON DEFENDANT'S MOTION
FOR IDENTIFICATION OF
CONFIDENTIAL SOURCE AND
PRODUCTION OF DISCOVERY

16 This matter comes before the Court on defendant Roland Jesse Daza-Cortez's
17 Motion for Identification of Confidential Source and Production of Discovery.
18 (Dkt. # 106), which has been joined by defendant Rafael Valadez-Vazquez (Dkt. #111).
19 Having considered the briefing submitted by the parties, the Court finds oral argument
20 unnecessary. For the reasons that follow, the Court **DENIES** defendant's motion as moot.

21 The defendant in this matter seeks discovery of three categories of discovery, all
22 of which appears to have been produced.

23 First, the defendant seeks the disclosure of the identity of the Confidential Source
24 (CS), yet acknowledges in closing that the disclosure has already occurred (Dkt. #106,
25 p. 6). Based upon the government's unchallenged assertions of disclosure having already
26 occurred and the defendant's acknowledgment of receipt of this information, this aspect
27 of the motion is moot.

1 Second, the defendant seeks disclosure of all impeachment information currently
2 known to the United States concerning the CS. The government has represented that it
3 has disclosed without equivocation all impeachment information currently known to the
4 United States concerning the CS. The defendant has not disclosed the specifics of any
5 areas of requested information that was not produced. This aspect of the motion is moot.

6 Third, the defendant requests that the CS be available to testify at any pretrial or
7 trial proceedings. The government has unequivocally asserted that the CS will testify and
8 be available at the proceedings as requested by the defendant. Nothing further is required.
9 Therefore, this aspect of the motion is moot.

In the future, defense counsel is encouraged to meet and confer with the government before filing motions seeking discovery the government has already produced or traditionally provides upon request. This approach will reduce the demands upon this Court's docket seeking relief that is unchallenged or easily addressed with a courtesy call to opposing counsel. If nothing else, this approach will assist the defense in narrowing the scope of discovery motions to matters where a bona fide challenge, dispute, or disagreement actually exists.

17 For the foregoing reasons, the Court **DENIES** the defendant's motion (Dkt. #106)
18 as moot.

19 DATED this 24th day of February, 2017.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge